

# Exhibit I

Judge Flanagan's November 1, 2016 order extending the temporary restraining order and granting leave to file a counterclaim in the matter Graiwer v. Holms, Case No. CV 12-00544 pending in the Second Judicial Court of the State of Nevada, County of Washoe

1 PAUL J. ANDERSON, ESQ.  
2 Nevada Bar No. 709  
3 PROCTER J. HUG, IV, ESQ.  
4 Nevada Bar No. 12403  
5 MAUPIN, COX & LeGOY  
6 4785 Caughlin Parkway  
7 Reno, Nevada 89519  
8 Telephone: (775) 827-2000  
9 Facsimile: (775) 827-2185  
10 *Attorneys for Defendants*

11 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
12  
13 IN AND FOR THE COUNTY OF WASHOE

14 MANUEL GRAIWER and T.J. JESKY  
15 derivatively on behalf of BAKKEN RESOURCES,  
16 INC., a Nevada Corporation,

17 Plaintiffs,

18 vs.

19 VAL HOLMS, an individual, HERMAN  
20 LANDEIS, an individual, KAREN MIDTLYING,  
21 an individual, DAVID DEFFINBAUGH, an  
22 individual, BILL BABER, an individual,  
23 W. EDWARD NICHOLS, an individual, WESLEY  
24 PAUL, an individual, and DOES 1-100,

25 Defendants,

26 BAKKEN RESOURCES, INC., a Nevada  
Corporation,

Nominal Defendant.

VAL HOLMS, an individual,

Plaintiff,

vs.

Consolidated  
Case No.: CV14-00544

Dept. No.: B7

**ORDER EXTENDING TRO  
AND GRANTING LEAVE TO  
FILE COUNTERCLAIM**

Case No.: CV16-01086

Dept. No.: B7

1 BAKKEN RESOURCES, INC., a Nevada  
2 corporation, DAN ANDERSON, an individual,  
3 KAREN MIDTLYNG, an individual; HERMAN  
4 R. LANDEIS, an individual, BILL M. BABER,  
an individual, SOLANGE CHARAS, an individual,  
DOUGLAS L. WILLIAMS, and individual,

5 Defendants.

6 This matter came before the Court on Defendants', BAKKEN RESOURCES, INC., a  
7 Nevada Corporation, ("BRI" or "the Company"), DAN ANDERSON, an individual, KAREN  
8 MIDTLYNG, an individual, HERMAN R. LANDEIS, an individual, BILL M. BABER, an  
9 individual, SOLANGE CHARAS, an individual, DOUGLAS L. WILLIAMS, an individual (the  
10 "Director Defendants"), collectively referred to as "Defendants," Motion for Preliminary  
11 Injunction filed with the Court of August 2, 2016.  
12

13 The Court having reviewed the Motion, together with the Memorandum of Points and  
14 Authorities and numerous Exhibits attached thereto, the Oppositions filed by Plaintiff Val Holms  
15 ("Plaintiff" or "Holms"), and Derivative Plaintiffs Manuel Graiwer ("Graiwer"), and Defendants  
16 Reply, as supplemented, together with all the Exhibits attached to the Ex Parte Motion for  
17 Temporary Restraining Order filed by Defendants on July 22, 2016, which was granted by Order  
18 dated July 22, 2016, and having conducted a hearing on the Motion for Preliminary Injunction on  
19 October 25, 2016 with counsel for BRI, Paul J. Anderson, Esq., and Matthew C. Addison, Esq.,  
20 as well as Douglas Brown, Esq., on behalf of Holms, and John Aberasturi, Esq., and Thomas  
21 Bradley, Esq., on behalf of Derivative Plaintiffs Graiwer, and T.J. Jesky, and being fully  
22 informed and advised in the premises, hereby enters the following Orders:  
23

24 1. The Temporary Restraining Order entered by this Court on July 22, 2016, a copy  
25 of which is attached hereto as Exhibit "1," is extended in all respects save and except as stated in  
26

1 paragraph 3, below, through and including a formal decision following trial on the merits of this  
2 case.

3 2. The trial in this matter, which is set to commence on April 17, 2017 for three (3)  
4 weeks, is consolidated with the Motion for Preliminary Injunction pursuant to NRCP 65(a)(2).

5 3. The Temporary Restraining Order as to Graiwer is modified such that Graiwer in  
6 the future may only grant a proxy or sell any or all of his beneficially owned common stock in  
7 BRI if he complies with all United States Securities & Exchange Commission ("SEC") rules and  
8 regulations pertaining to proxy solicitations and transfers of shares, and any other pertinent rules  
9 and regulations of the SEC.  
10

11 4. Leave is granted to Defendants to file a counterclaim to set forth all equitable and  
12 legal claims Defendants intend to pursue against Plaintiff Holms on or before December 4, 2016.

13 5. Trial in this matter has been set to commence April 17, 2017 as a three (3) week  
14 bench trial. A status conference has been ordered in this matter on December 1, 2016 at 1:30  
15 p.m., and a pretrial conference has been ordered for April 6, 2017 at 1:15 p.m.  
16

17 Dated this 1<sup>st</sup> day of NOVEMBER, 2016.

18  
19 Patrick Flanagan  
JUDGE PATRICK FLANAGAN  
20 DISTRICT COURT JUDGE

21 RESPECTFULLY SUBMITTED BY:

22 Paul J. Anderson, Esq., NSB #709  
23 4785 Caughlin Parkway  
24 Reno, Nevada 89519  
25 Tel.: (775) 827-2000  
26 *Attorneys for Defendant*

# EXHIBIT 1

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# EXHIBIT 1

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6 4785 Caughlin Parkway  
7 Reno, Nevada 89519  
Telephone: (775) 827-2000  
Facsimile: (775) 827-2185  
*Attorneys for Defendants*

8 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

9 IN AND FOR THE COUNTY OF WASHOE

10 MANUEL GRAIWER and T.J. JESKY  
11 derivatively on behalf of BAKKEN RESOURCES,  
12 INC., a Nevada Corporation,

13 Plaintiffs,

14 vs.

15 VAL HOLMS, an individual, HERMAN  
16 LANDEIS, an individual, KAREN MIDTLYING,  
17 an individual, DAVID DEFFINBAUGH, an  
18 individual, BILL BABER, an individual,  
W. EDWARD NICHOLS, an individual, WESLEY  
PAUL, an individual, and DOES 1-100,

19 Defendants,

20 BAKKEN RESOURCES, INC., a Nevada  
21 Corporation,

22 Nominal Defendant.

23  
24 VAL HOLMS, an individual,

25 Plaintiff,

26 vs.

Consolidated  
Case No.: CV14-00544

Dept. No.: B7

TEMPORARY RESTRAINING  
ORDER

Case No.: CV16-01086

Dept. No.: B7

1 BAKKEN RESOURCES, INC., a Nevada  
2 corporation, DAN ANDERSON, an individual,  
3 KAREN MIDTLYNG, an individual; HERMAN  
4 R. LANDEIS, an individual, BILL M. BABER,  
an individual, SOLANGE CHARAS, an individual,  
DOUGLAS L. WILLIAMS

5 Defendants.

6 This matter came before the Court on Defendants', BAKKEN RESOURCES, INC., a  
7 Nevada Corporation, ("BRI" or "the Company"), DAN ANDERSON, an individual, KAREN  
8 MIDTLYNG, an individual, HERMAN R. LANDEIS, an individual, BILL M. BABER, an  
9 individual, SOLANGE CHARAS, an individual, DOUGLAS L. WILLIAMS, an individual (the  
10 "Director Defendants"), collectively referred to as "Defendants," Ex Parte Motion for Temporary  
11 Restraining Order.  
12

13 The Court having reviewed the Motion together with the Memorandum of Points and  
14 Authorities and numerous Exhibits attached thereto, having conducted a hearing on July 22,  
15 2016, with counsel for BRI, Matthew C. Addison, Esq., and Paul J. Anderson, Esq., as well as  
16 Douglas Brown, Esq., on behalf of Val Holms, and John Aberasturi, Esq., on behalf of Manuel  
17 Graiwer, and being fully informed and advised in the premise, hereby grants Defendants' Motion  
18 in all respects and enters the following Temporary Restraining Order against the Plaintiffs in  
19 these consolidated actions, Val Holms, an individual, and Manuel Graiwer, to preserve the status  
20 quo and to prevent immediate and irreparable harm to BRI and the Director Defendants in the  
21 interim.  
22

23 The Court specifically finds that Defendants have satisfied the requirements of Rule 65 of  
24 the Nevada Rules of Civil Procedure as it appears (1) that immediate and irreparable injury, loss  
25 and damage will occur to Defendants before Plaintiffs can appear; and (2) counsel for  
26

1 Defendants have made an appropriate certification to this Court as to efforts which have been  
2 made to notify the Plaintiffs in these consolidated actions of the Motion and the hearing before  
3 this Court.

4 The Court finds that the Defendants have a reasonable probability of success on their  
5 arguments that the voting proxies executed by Val Holms on July 7, 2016 purporting to transfer  
6 to Allan Holms twenty-six million two hundred thirty-five thousand (26,235,000) shares of  
7 Common Stock in BRI, and by Manual Graiwer on June 29, 2016, purporting to transfer his  
8 shares to Allan Holms are invalid based on SEC regulations pertaining to proxy solicitations. 17  
9 *C.F.R. 240.14a-2, et seq.*  
10

11 The Court further finds that Defendants have a reasonable probability of success on their  
12 arguments that Eagle Private Equity has properly exercised its rights to convert its loans in the  
13 Company to Series A Preferred Stock under the agreement it has with BRI and in so doing has  
14 obtained six hundred thousand (600,000) shares of Series A Preferred Stock granting to Eagle  
15 Private Equity sixty million (60,000,000) shares of Common Stock in BRI. The 60,000,000  
16 shares held by Eagle Private Equity are the majority of voting shares of all BRI stock.  
17 Consequently, the Court also finds Defendants have a reasonable probability of success on their  
18 argument that even if the subject voting proxies are valid Eagle Private Equity holds a majority  
19 of the voting shares in the Company and thus renders the subject takeover attempt ineffectual.  
20

21 Counsel for BRI, as well as counsel for the Directors and Wesley Paul, Esq., and  
22 corporate counsel to BRI, which constitute all defense counsel in the consolidated action, are  
23 authorized to take any and all actions necessary in the State of Nevada, particularly before this  
24 Court, to contest any takeover attempts against BRI which is presently before, and subject to, the  
25 jurisdiction of this Court.  
26



1 In light of Court's conclusions set forth above, ~~regarding~~ the Defendants' have a  
2 reasonable probability of success on the merits of their arguments in this matter, the Court  
3 hereby also finds BRI, as ~~presently~~ constituted prior to the attempted takeover, has every right to  
4 access and utilize its accounts at Wells Fargo and/or any other banking institution within the  
5 jurisdiction of this Court in order to continue to efficiently conduct the affairs of the Company  
6 and timely satisfy any and all of its obligations which may become due during the pendency of  
7 all judicial proceedings regarding the validity of the subject "takeover" attempt. Thus, any  
8 person or entity which may seek to inhibit or otherwise restrict BRI's right to such access and  
9 use is hereby enjoined from doing so, and Wells Fargo is hereby entitled to allow BRI such  
10 access and use until and unless a court with appropriate jurisdiction formally rules otherwise.  
11

12 Pursuant to NRCP 65(c) the Court finds that no harm shall occur to the Plaintiffs in this  
13 matter in the event the issuance of this Order is ultimately found to be wrongful. Accordingly,  
14 Defendants shall not be required to post a bond.  
15

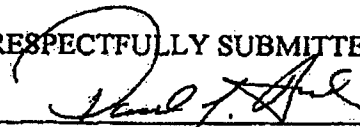
16 This Temporary Restraining Order shall expire on Sept. 21<sup>st</sup>, 2016, at 5:00 p.m.,  
17 unless within such time the Order, for good cause, is extended by this Court.

18 A Preliminary Injunction Hearing is set on September 21<sup>st</sup>, 2016 at  
19 1:30 a.m./p.m. Counsel for BRI shall file a Motion for Preliminary Injunction no later  
20 than August 2, 2016, Counsel for Holms and Graiwer shall file their Oppositions no later than  
21 August 19, 2016, and a Reply shall be due on August 31, 2016.  
22

23 Dated this 22 day of July, 2016.  
24

25 Patrick Flanagan  
JUDGE PATRICK FLANAGAN  
26 DISTRICT COURT JUDGE

1  
2 RESPECTFULLY SUBMITTED BY:

3   
4 Paul J. Anderson, Esq., NSB #709  
5 4785 Caughlin Parkway  
6 Reno, Nevada 89519  
7 Tel.: (775) 827-2000  
8 Fax: (775) 827-2185  
9 *Attorneys for Defendant*  
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